

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELMER TULIO AGUILAR-RIVAS,

Defendant.

CASE NO. CR18-0023-JCC

ORDER

This matter comes before the Court on Defendant's unopposed third motion to extend the indictment deadlines in this matter (Dkt. No. 23). Having thoroughly considered the motion, Defendant's waiver of speedy indictment (Dkt. No. 24), and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

The Court concludes that it would be unreasonable to require the filing of an indictment within the period required by statute because of Defendant's need to further evaluate the case in conjunction with his immigration attorney and in light of pending immigration proceedings prior to an indictment. Without an extension, the Government and defense counsel would be denied the reasonable time necessary to pursue negotiations and for effective preparation, taking into account the exercise of due diligence. Therefore, the Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy indictment.

1 The Court therefore ORDERS that the date on or before an indictment must be filed is  
2 hereby EXTENDED from May 2, 2018 to May 16, 2018.

3 The Court further ORDERS that period of delay from May 2 to May 16, 2018, is  
4 excludable time pursuant to 18 U.S.C. § 3161(h)(7)(A) for the purpose of computing the time  
5 limitations imposed by the Speedy Trial Act.

6 DATED this 1st day of May 2018.

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10 John C. Coughenour  
11 UNITED STATES DISTRICT JUDGE  
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